

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 1:13-CR-000315-KMW

FREDERIC CILINS,

Defendant.

AFFIDAVIT OF ALBERT H. LYTER, III

1. My name is Albert H. Lyter, III.
2. I am the President and Chief Scientific Officer of Federal Forensics Associates, Inc. I am engaged in consultation, examination, training, research and testimony in forensic science, including ink and paper analysis, trace evidence and questioned document examination. I have held this position since 1981.
3. I am a person duly and regularly engaged in the practice of forensic document analysis; I hold a Ph.D. degree in Analytical Chemistry from the University of North Carolina – Chapel Hill and an M.S. degree in Forensic Science from George Washington University. I have special professional training and experience in the field of forensic document analysis. A true and correct copy of my Curriculum Vitae is attached hereto as Exhibit A.
4. I have been requested to review a series of documents relative to the above referenced matter. These documents are labeled with Bates Numbers 000528 through 000547. The purpose of this review is to determine the presence of any inconsistencies or irregularities that would cause concern regarding the validity or veracity of the documents.

5. The referenced documents are a series of images in Portable Document Format (PDF) that represent multiple documents, some with multiple pages. The documents are not original images, but copies that have excessive deterioration of the integrity of the image and are more likely multiple generations removed from an original document. The documents bear text that appears to be in French, various handwritten or printed notations and various stamps.

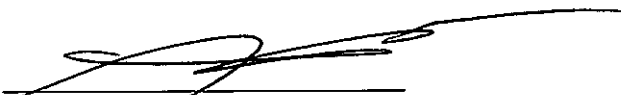
6. The presence of the observations listed below is sufficient to question the validity and veracity of the examined documents.

7. These preliminary observations are:

- a. All of the images were reduced in size and therefore limiting regarding the assessment of spacing or alignment.
- b. All of the documents bore various degrees of deterioration of the image. This factor affects the ability to assess similarity of stamped impressions and/or handwritten notations.
- c. It was evident that on several documents there was the presence of multiple type fonts. Due to the deterioration of the images it was not possible to ascertain the reason for this disparity, but a simple addition of material not originally present on the document must be considered.
- d. Several documents contained images of the same signature. It is a basic premise in the field of Questioned Document Examination that two samples of handwriting will not be identical, i.e., you do not sign your signature the same way twice. Therefore, the presence of the same signature on multiple documents is an indication of manipulation of the documents. The original source of the suspect signature may be one of the presented documents, but may also be a document

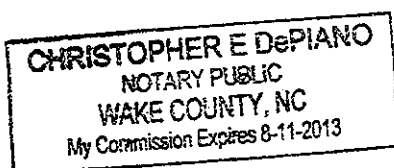
totally unrelated to the content of the referenced documents. There are both digital and mechanical methods for the transfer of material and signatures from one document to another. The only way to ascertain the method of transfer and/or the source of the original image is through examination of the original documents.


- e. There are several signatures and/or signature blocks that appear to be misaligned in relationship to the remaining text of the documents. This may be due to the addition of material via manipulation of the document, or may be due to the method of application of the material to the document. The determination of source and method of application of this material will require examination of the original documents.
8. A full and complete examination of the original documents using all of the requisite tools and methods of examination available would be the appropriate next step in the evaluation of the referenced documents to determine the impact of the above observations on a determination of non-genuineness.
9. I hereby swear under penalty of perjury that the foregoing is true and correct.


Albert H. Lyter III, Ph.D., D-ABC
Forensic Chemist

State of North Carolina
County of Wake

Sworn to as true and correct before me this 6th day of August, 2013, by Albert H. Lyter, III, who is known to me or who produced North Carolina Driver License as identification.




Notary Public
My commission expires 8/11/13



FEDERAL FORENSIC ASSOCIATES, INC.

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ALBERT H. LYTER III

EDUCATION:

B.S. Chemistry, Oklahoma City University, 1973
B.S. Biology, Oklahoma City University, 1973
M.S. Forensic Science, George Washington University, 1975
Ph.D. Analytical Chemistry, University of North Carolina-Chapel Hill, 1999

TRAINING:

Fiber Microscopy, Institute of Paper Chemistry, 1975
X-ray Spectrometry, State University of New York, 1976
Questioned Documents, United State Secret Service, 1977
High Pressure Liquid Chromatography, Waters Associates, 1978
High Pressure Liquid Chromatography, American Chemical Society, 1978
Forensic Microscopy, McCrone Research Institute, 1978
Surface Analysis Techniques, Physical Electronics, 1992
Identification of Photocopiers, New Mexico State Police, 1983
Canon Facsimile Workshop, American Society of Questioned Document Examiners, 1991
Microscopy for Pigment & Fiber Identification in Art & Artifacts, Campbell Center for Historic Preservation Studies, 2010

EXPERIENCE:

September 1981 to present

President and Chief Scientific Officer of Federal Forensic Associates, Inc.
Engaged in consultation, examination, training, research and testimony in Forensic Science, including ink and paper analysis, trace evidence and questioned document examination
Qualified trace evidence areas include fire debris, explosives, paint, hair, fibers, glass and wood.

January 1975 to September 1981

Forensic Chemist, U.S. Treasury Department, Bureau of Alcohol, Tobacco and Firearms, National Laboratory Center, Rockville, Maryland
Engaged in consultation, examination, training, research and testimony as service to federal and state law enforcement

Court qualified in federal, state and military courts in over 33 states, U.S. Virgin Islands, Australia, Canada, Mexico, Malaysia and Singapore
Instructor at the FBI Academy, Federal Law Enforcement Training Center, Naval Investigative Service, Air Force Office of Special Investigation, United States Secret Service, Florida Department of Law Enforcement, colleges and universities
Lecturer at numerous scientific and legal organization meetings to include the American Academy of Forensic Sciences, American Society of Questioned Document Examiners, California Association of Criminalists, International Association of Forensic Scientists

**PROFESSIONAL
ORGANIZATIONS:**

American Academy of Forensic Sciences - Fellow
Mid-Atlantic Association of Forensic Scientists
California Association of Criminalists
Southwestern Association of Forensic Document Examiners
International Association of Forensic Sciences
American Chemical Society
Society for Applied Spectroscopy
American Society for Testing and Materials

PUBLICATIONS:

Comparison of Paper Samples - IAI News, 1976
Comparison of Typewriter Ribbon Inks by Thin Layer Chromatography -Journal of Forensic Science, 1977
A Scientific Study of Pencil Lead - Journal of Forensic Science, 1978
Analysis of Water Soluble Paper - Journal of Forensic Science, 1980
Comparison of Typewritten Carbon Impressions - Journal of Forensic Science, 1982
Examination of Ball Pen Ink by High Pressure Liquid Chromatography -Journal of Forensic Science, 1982
Ink Analysis, A Key Element in Questioned Document Examination - Trial, 1983
A High Performance Liquid Chromatographic (HPLC) Study of Seven Common Explosive Materials - Journal of Forensic Science, 1983
Finding Fraudulent Documents - Family Advocate, 1989
Attempted Determination of Authorship by Ball Pen Line Characteristics -Forensic Science International, 1990
Analysis of Writing Ink - chapter in the book HPLC in Forensic Science, 1982
Contributions to the book Forensic Ink and Paper Examination by Brunelle and Reed, 1982
Examination of Gel Pen Ink by Microspectrometry – Journal of the American Society of Questioned Document Examiners, Dec. 2005
Examination of Gel Pen Ink by Physical and Thin Layer Chromatographic Examination – Journal of the American Society of Questioned Document Examiners, Dec. 2005
Ph.D Dissertation - Surface Characterization of Polymeric Materials by X-ray Photoelectron Spectroscopy and Time-of-Flight Secondary Ion Mass Spectrometry: Biomedical Materials and Forensic Applications

HONORS:

Honorary Assistant Attorney General, State of Alabama
Treasury Award for Outstanding Performance
Honorary Member - Southwestern Association of Forensic Document Examiners

CERTIFICATION:

Diplomate of the American Board of Criminalistics

CASES OF NOTE:

Mormon Will of the late Howard R. Hughes
Slander trial of CBS, Sixty Minutes and Dan Rather
Nazi war crimes case of Ivan Demjanjuk
Sam Shephard murder trial – 2000
Martha Stewart case